



51306/401

JPM

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: )  
Tamburrini et al. ) Group Art Unit: 2876  
Serial No.: 10/797,781 ) Examiner: Thien M. Le  
Filed: March 9, 2004 )  
For: DATA READER FOR MULTI-MODE )  
OPERATION )  
)

### COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

The following are Applicant's comments on the Examiner's Statements of Reasons for Allowance included with the Notice of Allowability dated February 15, 2005 ("The Statement").

The Statement indicates that the prior art "fails to disclose an optical scanner comprising a first and a second scanning windows, a rotating primary facet wheel comprising a plurality of primary mirror facets and having the functions and characteristics as recited in claim 18."

Though Claim 18 does include the elements of "a first window" and "a facet wheel a facet wheel axis and plurality of primary mirror facets", there is no limitation of "first and second scanning

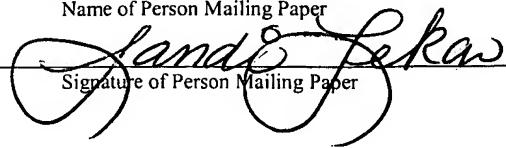
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Sandi Lekar  
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windows. Moreover, many of the dependent claims include additional limitations that also provide further reasons for patentability.

In any event it is submitted that the claims in their present form are allowable over the items of record.

Respectfully submitted,

Dated: April 25, 2005

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